IN THE HIGH COURT OF JUDICATURE AT BOMBAY

IN ITS INSOLVENCY JURISDICTION

PETITION NO.132 OF 2005

Re: Vijay Dattu Abnave & Ors. .. Debtors.
Ex-parte:
Mandvi Co-operative Bank Ltd. .. Petitioning Creditor.

...

Mr. U.S. Borade for the Petitioning Creditor.

CORAM: DR. D.Y. CHANDRACHUD, J.

21st November, 2006.

P.C. :

The Insolvency Petition is based on an award of the Co-operative Court dated 14th August, 2002. An amount in excess of Rs.1.08 lacs is stated to be due and payable together with future interest on the sum of Rs.78,757/- from 1st April, 2004. An Insolvency Notice was issued on 21st April, 2005 which was served on Debtors 1 and 2 on 18th May, 2005. The act of insolvency was complete on 23rd June, 2005. The Insolvency Petition has been duly served and an affidavit of service has been filed. There is no reply to the Petition and the Debtors have failed to appear. In the circumstances, the Insolvency Petition has to be allowed and is accordingly allowed in terms of prayer clauses (a) and (b ).